

EXHIBIT 2

From: Chris J. Tardio
Sent: Monday, February 22, 2016 6:39 PM
To: Ben Gastel; Bill Leader; George Nolan; Matt H. Cline; 'Hoffman, Eric'
Cc: Gerard Stranch; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard; C. J. Gideon; 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'mgreer@adjtlaw.com'; Melissa M. Howard; Alan Bean; Matthew J. Nathanson; Kaycee L. Weeter
Subject: RE: Expert depositions.

Refusing to provide dates before 3/18 suggests that there are available dates and we just do not want to give them. That is not the case, just like you are not *refusing* to produce Winikur before 3/18, nor *refusing* to take Miller, Zivot, or Reath on the dates offered. You can wordsmith all you want – there are just no dates left, through no one's fault or "refusal." We will file a brief motion by lunch tomorrow. I had hoped we could work together to get this discovery done. I will note that there is not agreement on this.

Re: the other issues:

- Yes, we will do Dr. Culclasure at our office on 3/1. Please notice it for 0900. Also, I again ask you to tell me what cases you intend to take Culclasure in. By my memory, he only did the injections in Parman and Ziegler, but that is from memory.
- Wright we will do at our office.
- Yes, we will find a location in Cookeville for Patterson.
- I have not seen the notice for Thoma. If you have sent it, please tell us the docket number or resend it by email.
- Reath is becoming difficult to set. If you "refuse" to take him on 3/12, I do not know that he has another date that works in March. We will do our best. But, it would be nice if you could find someone to cover that deposition on the 12th. We are committed to taking two on two different Saturdays. Please check again.
- We do not have the 15th or 16th available for Miller. Those dates just do not work. We (and he) could do 3/24.

Chris J. Tardio, Esq.
Member // Gideon, Cooper & Essary, PLC
www.gideoncooper.com

From: Ben Gastel [mailto:beng@bsjfirm.com]
Sent: Monday, February 22, 2016 2:41 PM
To: Chris J. Tardio; Bill Leader; George Nolan; Matt H. Cline; 'Hoffman, Eric'
Cc: Gerard Stranch; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard; C. J. Gideon; 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'mgreer@adjtlaw.com'; Melissa M. Howard; Alan Bean; Matthew J. Nathanson; Kaycee L. Weeter
Subject: RE: Expert depositions.

Chris,

We will confirm Culclasure for 3/1 and will issue a notice today. I assume you want that at your office?

I believe George and Bill will contact you regarding Winikur/Dubberke.

We have issued notices for Thoma. I am finalizing locations for Wright and Mixon and will serve notices shortly. I am struggling finding space in Cookeville for Patterson, and I believed you offered to do so previously. Can you propose a location?

We cannot do Zivot or Miller on 3/7. We can do either on 3/15 or 16.

Reath will not work on 3/12. How about 3/16, 17 or 19?

As for the dates you proposed out of time, I have repeatedly requested dates within the time period required by the Court order and you have refused to provide such dates for many of your experts. We remain committed to working with you on dates, but it will be nearly impossible to get things accomplished within the current order of the court by taking 6-10 of your experts out of time. Can I assume that your refusal to provide dates in time for Yim, Lowrey, Mays, and Aigner means you will not make them available before 3/18?

From: Chris J. Tardio [<mailto:chris@gideoncooper.com>]

Sent: Friday, February 19, 2016 2:25 PM

To: Bill Leader <bleader@LeaderBulso.com>; George Nolan <gnolan@LeaderBulso.com>; Ben Gastel <beng@bsjfirm.com>; Matt H. Cline <matt@gideoncooper.com>; 'Hoffman, Eric' <eric.hoffman@nortonrosefulbright.com>

Cc: Gerard Stranch <gerards@bsjfirm.com>; Chalos, Mark P. <mchalos@lchb.com>; Martin, Annika K. <akmartin@lchb.com>; Daniel L. Clayton <dclayton@KCBattys.com>; 'Randy L. Kinnard' <rkinnard@kcbattys.com>; Melissa M. Howard <mhoward@LeaderBulso.com>; C. J. Gideon <cj@gideoncooper.com>; 'skelly@nutter.com' <skelly@nutter.com>; Puig, Yvonne K. <yvonne.puig@nortonrosefulbright.com>; Schramek, Adam T. <adam.schramek@nortonrosefulbright.com>; 'mgreer@adjtlaw.com' <mgreer@adjtlaw.com>; Melissa M. Howard <mhoward@LeaderBulso.com>; Alan Bean <alan@gideoncooper.com>; Matthew J. Nathanson <mnathanson@gideoncooper.com>; Kaycee L. Weeter <kaycee@gideoncooper.com>

Subject: RE: Expert depositions.

Ben (or whoever is handling this on PSC):

Can someone please respond on the following outstanding issues:

1. Can you please confirm Culclasure for 3/1? He needs to schedule or not schedule patients that day.
2. Winikur and Dubberke:

March 8 does not work for Winikur. We just cannot make it work. There are two other depositions confirmed for that day.

We are doing what we can to shift things for the offered Dubberke date.
3. I have not seen notices for the confirmed dates on Thoma (3/8), Patterson (3/18, changed time/location), Wright (3/21), or Mixon (3/22). Are you going to issue these?
4. Can you do Zivot on 3/7? Or, can you respond re checking again on Miller on 3/7?
5. We can do Reath on Saturday, 3/12. He is on-call that day. Unless something unexpected happens, he anticipates maybe having to take a phone call or two. Please tell us if that will work.

6. Can you respond on the dates we sent for the remaining experts (Lowrey, 3/23; Yim, 3/24; Mays, 3/28; Aigner, 3/30) (this does not include Woods, whom we are working on plugging in somewhere)? We have made a hefty effort on our end to get these all done as close to the deadline as possible without impacting any other deadlines. As I said before, I suggest that we get these on the calendar and move forward, rather than waste time arguing about who is delaying what. Please tell us if we need to file a motion or if we can work together to get this discovery done.

Please respond by Monday so that we can file something if need be.

Chris J. Tardio, Esq.
Member // Gideon, Cooper & Essary, PLC
www.gideoncooper.com

From: Bill Leader [<mailto:bleader@LeaderBulso.com>]

Sent: Thursday, February 18, 2016 5:21 PM

To: Chris J. Tardio; George Nolan; Ben Gastel; Matt H. Cline; 'Hoffman, Eric'

Cc: Gerard Stranch; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard; C. J. Gideon; 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'mgreer@adjtlaw.com'; Melissa M. Howard; Alan Bean; Matthew J. Nathanson; Kaycee L. Weeter; Bill Leader

Subject: RE: Expert depositions.

Chris,

Dr. Winikur is not available for his deposition on March 3. At this time, March 8 is the only date that he is available.

Bill

Bill Leader
Leader, Bulso and Nolan, PLC
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bleader@leaderbulso.com
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From: Chris J. Tardio [<mailto:chris@gideoncooper.com>]

Sent: Wednesday, February 17, 2016 8:19 AM

To: George Nolan; Ben Gastel; Matt H. Cline; Bill Leader; 'Hoffman, Eric'

Cc: Gerard Stranch; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard; C. J. Gideon; 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'mgreer@adjtlaw.com'; Melissa M. Howard; Alan Bean; Matthew J. Nathanson; Kaycee L. Weeter

Subject: RE: Expert depositions.

George:

Bill's email says that Winikur "can be available" on that date. It was never confirmed, and we have since set at least one other deposition on 3/8, which I am covering. I checked, and no one else here can do 3/8. I could depose him on March 3, if I can find someone else to cover the deposition the next day. Let me know if he is available that day (or have Bill let us know), and I will try to move things around if that date might work.

Chris J. Tardio, Esq.
Member // Gideon, Cooper & Essary, PLC
www.gideoncooper.com

From: George Nolan [<mailto:gnolan@LeaderBulso.com>]

Sent: Monday, February 15, 2016 5:13 PM

To: Chris J. Tardio; Ben Gastel; Matt H. Cline; Bill Leader; 'Hoffman, Eric'

Cc: Gerard Stranch; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard; C. J. Gideon; 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'mgreer@adjtlaw.com'; Melissa M. Howard; Alan Bean; Matthew J. Nathanson; Kaycee L. Weeter

Subject: RE: Expert depositions.

Chris,

I have Winiker's deposition on my calendar for 3pm on March 8 in Danville, VA. That date and time was confirmed by Bill's email of Jan. 25 below.

As to Dubberke, Bill will need to respond to your request. He is currently traveling and will get back with you as soon as he can.

George

George Nolan
Leader, Bulso & Nolan, PLC
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From: Chris J. Tardio [<mailto:chris@gideoncooper.com>]

Sent: Monday, February 15, 2016 4:25 PM

To: Ben Gastel; Matt H. Cline; Bill Leader; 'Hoffman, Eric'

Cc: George Nolan; Gerard Stranch; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard; C. J. Gideon; 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'mgreer@adjtlaw.com'; Melissa M. Howard; Alan Bean; Matthew J. Nathanson; Kaycee L. Weeter

Subject: RE: Expert depositions.

Ben:

I write to continue in good faith trying to get everything on the calendar and done.

First, we still do not have dates that work for Winikur and Dubberke. Please send those tomorrow or Wednesday.

Second, you have rejected Miller on 3/7. Before we make final travel plans, can you check one more time to see if 3/7 (or something around the Kessler trip) works? Two trips to CA is going to eat up a good bit of time, which we are short on. In the alternative, can you do Zivot in Atlanta on 3/7?

Third, can you confirm Culclasure for 3/1?

Fourth, re the remaining dates, we are going to have to work together if the goal truly is to get these depositions done. We first requested dates at Christmas, but you guys are presenting most of your experts in March. That makes it impossible, despite best efforts, for us to schedule our experts on the scant remaining days. That being said, I am not interested in an unproductive exchange of emails, nor am I trying to engage in gamesmanship with scheduling or posturing. I am only interested in working together to get these depositions done so as not to delay the overall litigation, which should be a common goal.

With that goal in mind:

There are 11 business days left in February. We have seven depositions set. After this week, the only days left are 2/22 and 2/25. We are trying our best to find someone to plug into 2/25. That leaves one day, 2/22. There is just not a lawyer/expert combo to plug into that date.

In March, there are 14 business days before 3/18. We have (assuming you confirm Culclasure and Zivot) 17 depositions set in 14 days, including one on a Saturday and multiple days with two depositions set in different parts of the country. We have done everything we can to cram depositions in before 3/18. The only day left is 3/16, and we just do not have a lawyer to cover anything on that day. We are flat out of days.

We can go one of two ways:

We can work together and bleed past the 3/18 deadline for our remaining people.

We have offered the following:

3/23: Lowrey

3/24: Yim

3/28: Mays.

I also offer the following: Aigner: 3/30.

You have already committed to taking depositions on 3/21 and 3/22. Extending another week or two does nothing to the overall schedule in this litigation. This would be different if we had a trial date in April.

Or, we can file an "emergency" motion to allow us to present experts the weeks of 3/21 and 3/28, the reason being that all the dates leading up to these weeks are taken by other experts, including many of yours.

I think it obvious that working together to get these set is what the Court would want, rather than create more motion practice. I suggest that we get these on the calendar and move forward, rather than get bogged down in another exchange about who is delaying what. But, we will file a motion if need be.

If you accept those, that just leaves (I believe) Reath, Woods, and Miller to plug in on our end. We are actively working on these. Please let us know what you want to do.

Chris J. Tardio, Esq.
Member // Gideon, Cooper & Essary, PLC
www.gideoncooper.com

From: Ben Gastel [<mailto:beng@bsjfirm.com>]

Sent: Thursday, February 11, 2016 7:01 PM

To: Matt H. Cline; Chris J. Tardio; Bill Leader; 'Hoffman, Eric'

Cc: George Nolan; Gerard Stranch; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard; C. J. Gideon; 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'mgreer@adjtlaw.com'; Melissa M. Howard; Alan Bean; Matthew J. Nathanson; Kaycee L. Weeter

Subject: RE: Expert depositions.

Matt,

The changes for Patterson are fine. We will find a location in Cookeville and serve an amended notice.

With regard to Miller, 3/9 will not work, but 3/15-17 will work.

Wright will work on 3/21.

With regard to the other depositions, I requested dates within the time period required by the court order and you still have not provided those. Please provide dates for depositions prior to 3/18 for Yim, Lowrey, Mays, Zivot, Woods, Aiger, and Reath.

I believe 3/1 will work for Culclasure, but I need to confirm with a few other counsel to be sure.

Thank You,

Ben Gastel

Branstetter, Stranch & Jennings, PLLC

The Freedom Center

223 Rosa L. Parks Avenue, Suite 200

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From: Matt H. Cline [<mailto:matt@gideoncooper.com>]

Sent: Thursday, February 11, 2016 9:16 AM

To: Chris J. Tardio <chris@gideoncooper.com>; Ben Gastel <beng@bsjfirm.com>; Bill Leader <bleader@LeaderBulso.com>; 'Hoffman, Eric' <eric.hoffman@nortonrosefulbright.com>

Cc: George Nolan <gnolan@LeaderBulso.com>; Gerard Stranch <gerards@bsjfirm.com>; Chalos, Mark P. <mchalos@lchb.com>; Martin, Annika K. <akmartin@lchb.com>; Daniel L. Clayton <dclayton@KCBattys.com>; 'Randy L. Kinnard' <rkinnard@kcbattys.com>; Melissa M. Howard <mhoward@LeaderBulso.com>; C. J. Gideon <cj@gideoncooper.com>; 'skelly@nutter.com' <skelly@nutter.com>; Puig, Yvonne K. <yvonne.puig@nortonrosefulbright.com>; Schramek, Adam T. <adam.schramek@nortonrosefulbright.com>; 'mgreer@adjtlaw.com' <mgreer@adjtlaw.com>; Melissa M. Howard <mhoward@LeaderBulso.com>; Alan Bean <alan@gideoncooper.com>; Matthew J. Nathanson <mnathanson@gideoncooper.com>; Kaycee L. Weeter <kaycee@gideoncooper.com>

Subject: RE: Expert depositions.

Ben:

Dr. Patterson's deposition is currently noticed for 9:00 am in Crossville. However, he is seeing patients that morning in Cookeville. So, he will need to start at 10:30 am, and the deposition will need to be in Cookeville (which is more convenient for those of us coming from Nashville). We can secure a location in Cookeville if you would like. Just let me know one way or another.

We are also waiting to hear from you on the other dates below (Wright, Yim, Miller, Culclasure, Lowrey, Mays).

Thanks.

Matt

Matthew H. Cline
Gideon, Cooper & Essary, PLC
UBS Tower, Suite 1100
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Nashville, TN 37238
Phone: (615) 254-0400
Fax: (615) 254-0459
matt@gideoncooper.com

From: Chris J. Tardio

Sent: Tuesday, February 09, 2016 7:27 PM

To: Ben Gastel; Bill Leader; 'Hoffman, Eric'

Cc: George Nolan; Gerard Stranch; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard; C. J. Gideon; Matt H. Cline; 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'mgreer@adjtlaw.com'; Melissa M. Howard; Alan Bean; Matthew J. Nathanson; Kaycee L. Weeter

Subject: RE: Expert depositions.

Ben:

Dr. Culclasure, for his case-specific deposition, can do 3-1.

You did not comment on Lowrey's proposed date in your response below. I assume the date did not work. She can do 3/23.

Dr. Mays can do 3/28. It is either that, or it looks like we are going to have to start looking at Saturdays.

Please let me know on the others offered below.

Thanks.

Chris J. Tardio, Esq.
Member // Gideon, Cooper & Essary, PLC
www.gideoncooper.com

From: Chris J. Tardio

Sent: Tuesday, February 09, 2016 9:36 AM

To: 'Ben Gastel'; 'Bill Leader'; 'Hoffman, Eric'

Cc: 'George Nolan'; 'Gerard Stranch'; 'Chalos, Mark P.'; 'Martin, Annika K.'; 'Daniel L. Clayton'; 'Randy L. Kinnard'; 'Melissa M. Howard'; C. J. Gideon; Matt H. Cline; 'skelly@nutter.com'; 'Puig, Yvonne K.'; 'Schramek, Adam T.'; 'mgreer@adjtlaw.com'; 'Melissa M. Howard'; Alan Bean; Matthew J. Nathanson; Kaycee L. Weeter

Subject: RE: Expert depositions.

Ben:

Bradshaw's deposition is confirmed for 3/9, at his office in DC.

Chris J. Tardio, Esq.

Member // Gideon, Cooper & Essary, PLC
www.gideoncooper.com

From: Chris J. Tardio

Sent: Monday, February 08, 2016 6:30 PM

To: 'Ben Gastel'; Bill Leader; 'Hoffman, Eric'

Cc: George Nolan; Gerard Stranch; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard; C. J. Gideon; Matt H. Cline; 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'mgreer@adjtlaw.com'; Melissa M. Howard; Alan Bean; Matthew J. Nathanson; Kaycee L. Weeter

Subject: RE: Expert depositions.

Yes, a notice filed into the docket with exhibited list of documents is fine, and is what we are doing for your witnesses.

Chris J. Tardio, Esq.

Member // Gideon, Cooper & Essary, PLC

www.gideoncooper.com

From: Ben Gastel [<mailto:beng@bsjfirm.com>]

Sent: Monday, February 08, 2016 3:35 PM

To: Chris J. Tardio; Bill Leader; 'Hoffman, Eric'

Cc: George Nolan; Gerard Stranch; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard; C. J. Gideon; Matt H. Cline; 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'mgreer@adjtlaw.com'; Melissa M. Howard; Alan Bean; Matthew J. Nathanson; Kaycee L. Weeter

Subject: RE: Expert depositions.

Thanks Chris, we will work on securing locations for these depositions. The PSC and the Saint Thomas Entities have not required Rule 45 subpoenas for expert depositions. Please confirm you are fine with a standard Rule 30 notice in lieu of a formal subpoena.

Thank You,

Ben Gastel

Branstetter, Stranch & Jennings, PLLC

The Freedom Center

223 Rosa L. Parks Avenue, Suite 200

Nashville, TN 37203

P: 615.254.8801

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From: Chris J. Tardio [<mailto:chris@gideoncooper.com>]

Sent: Monday, February 8, 2016 12:29 PM

To: Ben Gastel <beng@bsjfirm.com>; Bill Leader <bleader@LeaderBulso.com>; 'Hoffman, Eric' <eric.hoffman@nortonrosefulbright.com>

Cc: George Nolan <gnolan@LeaderBulso.com>; Gerard Stranch <gerards@bsjfirm.com>; Chalos, Mark P. <mchalos@lchb.com>; Martin, Annika K. <akmartin@lchb.com>; Daniel L. Clayton <dclayton@KCBattys.com>; 'Randy L. Kinnard' <rkinnard@kcbattys.com>; Melissa M. Howard <mhoward@LeaderBulso.com>; C. J. Gideon <cj@gideoncooper.com>; Matt H. Cline <matt@gideoncooper.com>; 'skelly@nutter.com' <skelly@nutter.com>; Puig, Yvonne K. <yvonne.puig@nortonrosefulbright.com>; Schramek, Adam T. <adam.schramek@nortonrosefulbright.com>; 'mgreer@adjtlaw.com' <mgreer@adjtlaw.com>; Melissa M. Howard <mhoward@LeaderBulso.com>; Alan Bean <alan@gideoncooper.com>; Matthew J. Nathanson <mnathanson@gideoncooper.com>; Kaycee L. Weeter

<kaycee@gideoncooper.com>

Subject: RE: Expert depositions.

It looks like these are confirmed (we are calling these experts back today and tomorrow to make sure nothing has changed since getting these dates):

Expert	Date
Holmes	2/24
Oliver	3/2
Parker	3/10
Thoma	3/8
Mixon	3/22
Patterson	3/18

With Bradshaw, we are working on him for 3/9 (which will allow us to keep Russo on 3/8 in DC). I think that will work; we just need to confirm.

Dr. Wright is available on 3/21.

Dr. Yim is available on 3/24.

Can you do March 7 or 8 for Dr. Miller? It makes little sense to make two separate trips in two weeks to CA for Kessler and Miller.

I am working on dates for the rest (and Culclasure). There really are not many days left to plug these into.

Chris J. Tardio, Esq.
Member // Gideon, Cooper & Essary, PLC
www.gideoncooper.com

From: Ben Gastel [<mailto:beng@bsjfirm.com>]

Sent: Friday, February 05, 2016 5:05 PM

To: Chris J. Tardio; Bill Leader; 'Hoffman, Eric'

Cc: George Nolan; Gerard Stranch; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard; C. J. Gideon; Matt H. Cline; 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'mgreer@adjtlaw.com'; Melissa M. Howard; Alan Bean; Matthew J. Nathanson; Kaycee L. Weeter

Subject: RE: Expert depositions.

Chris,

I write as a follow up below. We note the Court Order requires these depositions be completed by March 18, and many of the dates are offered beyond this deadline. With regard to the dates that are clearly within the relevant deadline, and in which options are offered, we accept the following dates:

Holmes: 2/24

Oliver: 3/2

Parker: March 10

We will also accept the dates for Thoma, Patterson, and Mixon (on the 22nd given it is close in time to the Court ordered deadline).

With regard to Bradshaw, we could do Bradshaw on March 9, or if you agree to move Russo to the 9th, we could do Bradshaw on the 8th. Please let me know if one of these accommodations will work.

With regard to Miller, March 9 will not work, but we could do March 15, 16, or 17.

Please try to obtain earlier dates for Aigner, Yim, and Reath.

We await dates for the remaining experts.

Thank You.

From: Chris J. Tardio [mailto:chris@gideoncooper.com]

Sent: Wednesday, February 3, 2016 6:21 PM

To: Bill Leader <bleader@LeaderBulso.com>; 'Hoffman, Eric' <eric.hoffman@nortonrosefulbright.com>

Cc: George Nolan <gnolan@LeaderBulso.com>; Gerard Stranch <gerards@bsifirm.com>; Ben Gastel <beng@bsifirm.com>; Chalos, Mark P. <mchalos@lchb.com>; Martin, Annika K. <akmartin@lchb.com>; Daniel L. Clayton <dclayton@KCBattys.com>; 'Randy L. Kinnard' <rkinnard@kcbattys.com>; Melissa M. Howard <mhoward@LeaderBulso.com>; C. J. Gideon <cj@gideoncooper.com>; Matt H. Cline <matt@gideoncooper.com>; 'skelly@nutter.com' <skelly@nutter.com>; Puig, Yvonne K. <yvonne.puig@nortonrosefulbright.com>; Schramek, Adam T. <adam.schramek@nortonrosefulbright.com>; 'mgreer@adjtlaw.com' <mgreer@adjtlaw.com>; Melissa M. Howard <mhoward@LeaderBulso.com>; Alan Bean <alan@gideoncooper.com>; Matthew J. Nathanson <mnathanson@gideoncooper.com>; Kaycee L. Weeter <kaycee@gideoncooper.com>

Subject: RE: Expert depositions.

Here are dates for our experts. We are still awaiting dates for a few. All will be located at their place of practice (or nearby).

We are running out of dates; so, please let me know as soon as you can whether/what you accept. I offered a couple dates where the expert had a couple that fit into the already-crowded schedule. But, this should get the ball rolling to hopefully set most or all of these.

Expert	Dates
Holmes	2/24 3/16
Oliver	3/1 3/2
Bradshaw	3/7
Thoma	3/8
Miller	3/9
Parker	3/10 3/24
Wright	3/12 (Sat)
Patterson	3/18
Mixon	3/21 3/22
Lowrey	3/25
Aigner	3/29
Yim	3/30
Reath	4/14 4/15

Chris J. Tardio, Esq.

Member // Gideon, Cooper & Essary, PLC
www.gideoncooper.com

From: Bill Leader [<mailto:bleader@LeaderBulso.com>]

Sent: Tuesday, February 02, 2016 7:39 PM

To: 'Hoffman, Eric'

Cc: George Nolan; Gerard Stranch; Ben Gastel; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard; C. J. Gideon; Matt H. Cline; Chris J. Tardio; 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'mgreer@adjtlaw.com'; Melissa M. Howard; Bill Leader

Subject: RE: Expert depositions.

Eric,

We will reserve a conference room at the Chase Park Plaza in St. Louis. The Chase Park Plaza is a couple blocks from Barnes Hospital.

Bill

Bill Leader

Leader, Bulso & Nolan, PLC

414 Union Street, Suite 1740

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From: Hoffman, Eric [<mailto:eric.hoffman@nortonrosefulbright.com>]

Sent: Tuesday, February 02, 2016 4:15 PM

To: Bill Leader

Cc: George Nolan; Gerard Stranch; Ben Gastel; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard; C. J. Gideon; Matt H. Cline; 'Chris J. Tardio'; 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'mgreer@adjtlaw.com'

Subject: RE: Expert depositions.

Bill,

We can depose Jim Gray on March 11. We will arrange for a location in the St. Louis area and will issue an amended notice once we've found the location. We will plan to start at 9 a.m. CST. I have conferred with counsel for the STOPNC Defendants and they are able to make this date work as well. Thanks,

Eric Hoffman | Associate

Norton Rose Fulbright US LLP

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NORTON ROSE FULBRIGHT

From: Bill Leader [<mailto:bleader@LeaderBulso.com>]

Sent: Wednesday, January 27, 2016 2:06 PM

To: Hoffman, Eric

Cc: George Nolan; Gerard Stranch; Ben Gastel; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard; C. J. Gideon; Matt H. Cline; 'Chris J. Tardio'; 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'mgreer@adjtlaw.com'; Bill Leader

Subject: RE: Expert depositions.

Eric,

Jim Gray is available on March 11.

Bill

Bill Leader

Leader, Bulso & Nolan, PLC

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From: Hoffman, Eric [<mailto:eric.hoffman@nortonrosefulbright.com>]

Sent: Wednesday, January 27, 2016 9:57 AM

To: Bill Leader

Cc: George Nolan; Gerard Stranch; Ben Gastel; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard; C. J. Gideon; Matt H. Cline; 'Chris J. Tardio'; 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'mgreer@adjtlaw.com'

Subject: RE: Expert depositions.

Bill,

We are unavailable on March 18 for Jim Gray's deposition. Please provide earlier dates in March if he cannot go forward in February as you originally stated in your letter from December 31. In any event, we will present Philip Almeter and Rebecca Garton within one to two weeks after Jim Gray is deposed. Thanks,

Eric Hoffman | Associate

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NORTON ROSE FULBRIGHT

From: Bill Leader [<mailto:bleader@LeaderBulso.com>]

Sent: Monday, January 25, 2016 12:48 PM

To: 'Chris J. Tardio'; Hoffman, Eric; 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'eric.hoffman@nortonrosefulbright.com'; 'mgreer@adjtlaw.com'

Cc: George Nolan; Gerard Stranch; Ben Gastel; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard; C. J. Gideon; Matt H. Cline; Bill Leader

Subject: Expert depositions.

Chris,

Jim Gray will need to reschedule his deposition to a date in March. We will produce Mr. Gray on March 18 in St. Louis.

Dr. Rauck can be available March 14 in Winston-Salem at 10:00 a.m.

Dr. Winikur can be available March 8 at 3:00 p.m. in Danville, Virginia.

We will let you know the location for Dr. Baddley's deposition.

We will get additional dates for Dr. Dubberke.

Bill

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From: Chris J. Tardio [<mailto:chris@gideoncooper.com>]

Sent: Thursday, January 21, 2016 6:19 PM

To: Hoffman, Eric; Bill Leader; 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'eric.hoffman@nortonrosefullbright.com'; 'mgreer@adjtlaw.com'

Cc: George Nolan; Gerard Stranch; Ben Gastel; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard; C. J. Gideon; Matt H. Cline

Subject: RE: Jim Gray deposition - meningitis cases

Bill:

From the experts listed in your letter of 12/31, we have confirmed Gray, 2/16.

We also confirm Baddley on 2/15. Please tell me the location so that we can issue the notice.

We cannot do Dubberke (as noted below) and cannot make 2/10 work for Rauck. Please send new dates for those. Is the 17th open for Dubberke?

Chris J. Tardio, Esq.
Member // Gideon, Cooper & Essary, PLC
www.gideoncooper.com

From: Hoffman, Eric [<mailto:eric.hoffman@nortonrosefulbright.com>]

Sent: Friday, January 15, 2016 5:07 PM

To: 'Bill Leader'; 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'eric.hoffman@nortonrosefullbright.com'; 'mgreer@adjtlaw.com'

Cc: George Nolan; Gerard Stranch; Ben Gastel; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard; C. J. Gideon; Chris J. Tardio; Matt H. Cline

Subject: RE: Jim Gray deposition - meningitis cases

Bill,

We were not intending on issuing a subpoena other than the subpoena duces tecum filed last night. Our position is that the notice of deposition covers James Gray's deposition because he is one of the PSC's testifying experts and that a Rule 45 Subpoena is not necessary. We would, of course, take the same position with respect to the depositions that the PSC seeks to notice for our experts. Please let us know if our notice will suffice or if you will be insisting on the issuance of Rule 45 Subpoenas for the PSC's experts.

We are not available to take Dr. Dubberke's deposition on January 25. Please provide alternative dates. We will get back to you early next week on Drs. Rauck and Baddley. Thanks,

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NORTON ROSE FULBRIGHT

From: Bill Leader [<mailto:bleader@LeaderBulso.com>]

Sent: Friday, January 15, 2016 8:46 AM

To: 'skelly@nutter.com'; Puig, Yvonne K.; Schramek, Adam T.; 'eric.hoffman@nortonrosefulbright.com'; 'mgreer@adjtlaw.com'

Cc: George Nolan; Gerard Stranch; Ben Gastel; Chalos, Mark P.; Martin, Annika K.; Daniel L. Clayton; 'Randy L. Kinnard'; Melissa M. Howard

Subject: Jim Gray deposition - meningitis cases

Importance: High

Good morning.

Last night we received your clients' notice of deposition and subpoena duces tecum regarding Jim Gray. This morning I called Sara Kelly to discuss the notice, but I only got Sara's voice mail.

If your client has issued a subpoena to Jim Gray, I will accept service of the subpoena. Please do not serve Mr. Gray with a subpoena.

I would like to speak with someone on your side concerning the subpoena to Mr. Gray and the deposition of Erik Dubberke.

Bill

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